

1 THE HONORABLE ROBERT S. LASNIK

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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 In re: L&L ENERGY, INC. SECURITIES )  
11 LITIGATION )

No. C11-1423-RSL

12 ) **STIPULATION AND ORDER**  
13 ) **TRANSFERRING ACTION FOR**  
14 ) **PURPOSES OF SETTLEMENT**

15 **STIPULATION**

16 The parties, through their undersigned counsel, stipulate as follows:

17 1. On August 26, 2011, plaintiff Jeff Mills filed this proposed securities  
18 class action against L&L Energy, Inc. ("L&L"), Dickson V. Lee, Ian G. Robinson and Jung  
19 Mei Wang (who has not been served or represented in this action) alleging a class period of  
20 August 13, 2009 – August 2, 2011 ("*Mills* Action").

21 2. On September 23, 2013, plaintiff Ron Buker filed a proposed securities class  
22 action in the United States District Court for the Southern District of New York against L&L,  
23 Dickson V. Lee, Ian G. Robinson, and Clayton Fong alleging a class period of September 11,  
24 2012 through September 18, 2013, Case No. 1:13-cv-06704-RA ("*Buker* Action").

25 3. The *Mills* Action and the *Buker* Action contain common and overlapping  
26 allegations and assert a similar theory of securities fraud. In particular, both actions allege that  
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126372.0001/5953446.1

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1 L&L falsely represented its ownership of certain mining assets and overstated its revenue and  
2 earnings.

3 4. On May 6, 2014, plaintiffs and defendants engaged in mediation with Judge  
4 Layn R. Phillips (ret.), and reached a settlement of the *Mills* Action and the *Buker* Action.

5 5. As part of the settlement, the plaintiffs in the *Mills* Action and the *Buker* Action  
6 agreed to consolidate their cases within the *Buker* Action, in which the lead plaintiff has not yet  
7 filed a consolidated complaint under the Private Securities Litigation Reform Act of 1995.

8 6. To accomplish consolidation, the plaintiffs in the *Mills* Action have agreed to  
9 transfer the *Mills* Action to the United States District Court for the Southern District of New  
10 York under 28 U.S.C. § 1404(a), subject to approval by the Court.

11 7. Pursuant to the terms of the settlement, the consolidated complaint will assert a  
12 comprehensive class period, spanning the period August 13, 2009, the beginning of the class  
13 period alleged in the *Mills* Action, through September 18, 2013, the close of the class period  
14 alleged in the *Buker* Action, when the consolidated complaint will contend that the fraud  
15 alleged in both actions was finally revealed.

16 8. Therefore, the parties below stipulate and agree, subject to approval by the  
17 Court, that the above-captioned action should be transferred to the United States District Court  
18 for the Southern District of New York pursuant to 28 U.S.C. § 1404(a), and request that the  
19 Court enter the order below.

20 DATED: May 28, 2014

21 THE ROSEN LAW FIRM, P.A.

22  
23 By s/ Phillip Kim  
24 Phillip Kim, Esq. (*pro hac vice*)  
25 Laurence M. Rosen, Esq. (*pro hac vice*)  
26 Lead Counsel for Plaintiff and Class  
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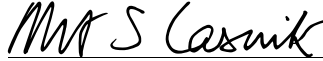
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Counsel for Defendant Dickson V. Lee

**ORDER**

IT IS SO ORDERED.

Dated this 29th day of May, 2014.



THE HONORABLE ROBERT S. LASNIK  
UNITED STATES DISTRICT JUDGE

Presented by:

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